



State of Connecticut
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

Central Office ~ 25 Sigourney Street, Hartford, CT 06106

Promoting Equality and Justice for all People

Judiciary Committee
Friday, March 18, 2016

Testimony regarding SB-430,

AN ACT CONCERNING EMPLOYMENT FOLLOWING AN ARREST, CRIMINAL CHARGE OR CONVICTION AND EQUAL EMPLOYMENT OPPORTUNITY COMMISSION GUIDANCE.

Good afternoon Senator Coleman, Representative Tong, Senator Kissel, Representative Rebimbas, Vice Chairs and Members of the Judiciary Committee. My name is Tanya Hughes, and I am the Executive Director of the Commission on Human Rights and Opportunities (CHRO). I am here to speak regarding Senate Bill 430, An Act Concerning Employment Following an Arrest, Criminal Charge or Conviction and Equal Employment Opportunity Commission Guidance.

CHRO has already testified in support of HB5237, otherwise known as the "Ban the Box" bill. We support measures to eliminate the barrier that a previous criminal conviction has on employment opportunities. Denying employment to individuals with criminal records may have an adverse impact on members of minority groups and may violate federal laws against discrimination.

CHRO does recommend that SB-430 be modified. I would recommend that enforcement of the EEOC's Enforcement Guidance be part of the CHRO's responsibilities. Enforcement by the Dept. of Labor would duplicate work already being performed by CHRO and be a lost opportunity for additional revenue for the general fund. CHRO is currently under contract with the U.S. Equal Employment Opportunity Commission (EEOC) to receive, investigate and litigate these types of complaints. Under this contract, CHRO receives money from the EEOC for each case filed, and additional money for each case we close, all of which goes into the State's general fund.

CHRO already has experience handling complaints under CONN. GEN. STAT. § 46a-80 in which the State of Connecticut is accused of discriminating based on a previous criminal conviction. Extending CHRO's process to cover private sector employers will not substantially affect the workload of the CHRO. CHRO also has experience handling the type of complaints that will be brought for violations of SB-430. Individuals who believe that race was a factor in the denial of employment (along with the criminal conviction) can already file a complaint with CHRO.

CHRO supports the long overdue protections proposed in SB-430. Enforcement, however, should properly be placed under the CHRO. CHRO already has a process in place for investigating and litigating these claims, and the federal government will provide a substantial portion of the funding required for doing so.

The CHRO supports SB-430 with the changes I have described. Thank you for the opportunity to testify today. I am happy to answer any questions the Committee may have.